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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dharan, Murali, et al.  
Appn. No.: 10/758,548  
Filed: January 15, 2004  
Title: Vancomycin Haemostatic Paste Composition

Grp Art Unit: 1615

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted:

Under 37 CFR 1.97(b)  
Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last.

Under 37 CFR 1.97(c) together with either a:  
 Certification under 37 CFR 1.97(e), or  
 A \$180.00 fee under 37 CFR 1.17(p)  
After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first.

Under 37 CFR 1.97(d) together with a:  
 Certification under 37 CFR 1.97(e), and  
 A Petition under 37 CFR 1.97(d)(2), and  
 A \$130.00 fee under 37 CFR 1.17(i)  
Filed after final action or notice of allowance, whichever occurs first, but on or before payment of issue fee.

Applicant(s) submits herewith Form PTO/SB/08B titled "Information Disclosure Citation by Applicant" together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware.

Applicant(s) submits that the above information taken alone or in combination neither anticipates nor renders obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,



Eric G. Masamori  
Attorney for Applicant  
Reg. No. 46,360

9-23-2004

Date

Telephone No.: (510) 537-1475  
Facsimile No.: (510) 537-1475

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence and those documents referred to as attached are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Eric G. Masamori

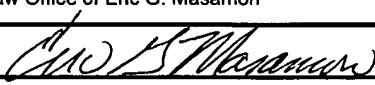
9-23-2004

Date



|  |    |                        |                |
|--|----|------------------------|----------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> |    | Application Number     | 10/758,548     |
|  |    | Filing Date            | 01-15-2004     |
|  |    | First Named Inventor   | DHARAN, Murali |
|  |    | Art Unit               | 1615           |
|  |    | Examiner Name          |                |
| Total Number of Pages in This Submission   | 11 | Attorney Docket Number | 114-001        |

| <b>ENCLOSURES (Check all that apply)</b>  |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br><input type="checkbox"/> Return Receipt Post Card |
| Remarks   |  |  |

| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b> |   |          |        |
|---|---|----------|--------|
| Firm Name   | Law Office of Eric G. Masamori  |          |        |
| Signature   |  |          |        |
| Printed name                                      | Eric G. Masamori  |          |        |
| Date  | 9-23-2004   | Reg. No. | 46,360 |

#### **CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |   |      |           |
|-----------------------|---|------|-----------|
| Signature             |  |      |           |
| Typed or printed name | Eric G. Masamori  | Date | 9-23-2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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|                        |  | Complete if Known |  |
|------------------------|--|-------------------|--|
| Application Number     |  | 10/758,548        |  |
| Filing Date            |  | 01-15-2004        |  |
| First Named Inventor   |  | DHARAN, Murali    |  |
| Art Unit               |  | 1615              |  |
| Examiner Name          |  |                   |  |
| Attorney Docket Number |  | 114-001           |  |

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|--------------------|-----------------------|---|----------------|
|                    |                       | HALASZ, NICHOLAS A., Wound Infection and topical Antibiotics, The Surgeon's Dilemma, Arch Surg, Vol 112, Oct 1977 pp. 1240-1244   |                |
|                    |                       | VANDER SALM, THOMAS J., et al., Reduction of sternal infection by application of topical vancomycin, J Thorac Cardiovasc Surg 1989; 98: 618-22  |                |
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|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.  
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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